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HOUSE BILL 147

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Donald L. Whitaker

AN ACT

RELATING TO NATURAL RESOURCES; PROVIDING FOR REGULATION AND
CONSERVATION OF HELIUM AND OTHER NON-HYDROCARBON GASES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 70-2-34 NMSA 1978 (being Laws 1935,
Chapter 72, Section 28, as amended) is amended to read:

"70-2-34. REGULATION, CONSERVATION AND PREVENTION OF
WASTE OF CARBON DIOXIDE [~~GAS~~], HELIUM AND OTHER NON-HYDROCARBON
GASES. --

A. The oil conservation division [~~is hereby vested
with the authority and duty of regulation and conserving~~] shall
adopt and administer rules on the conservation, the production
[~~of and preventing~~] and the prevention of waste of carbon
dioxide [~~gas within this state~~], helium and other non-
hydrocarbon gases in the same manner [~~insofar as is~~

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ~~practicable]~~ as it regulates, conserves and prevents waste of
2 natural or hydrocarbon gas. Where applicable, the provisions
3 of [~~this]~~ the Oil and Gas Act relating to gas or natural gas
4 shall also apply to carbon dioxide, [~~gas insofar as the same~~
5 ~~are applicable.~~ "~~Carbon dioxide gas~~", as used herein shall
6 ~~mean noncombustible gas composed chiefly of carbon dioxide~~
7 ~~occurring naturally in underground rocks]~~ helium and other non-
8 hydrocarbon gases.

9 B. The commission shall have concurrent
10 jurisdiction and authority with the oil conservation division
11 to the extent necessary for the commission to perform its
12 duties as required by law.

13 C. As used in this section:

14 (1) "carbon dioxide" means a noncombustible
15 gas composed chiefly of carbon dioxide occurring naturally in
16 underground rocks;

17 (2) "helium" means a gas composed of the
18 elemental gas helium and found in underground rocks, often
19 along with other gases; and

20 (3) "other non-hydrocarbon gases" means
21 noncombustible gases found in underground rocks, often along
22 with other gases."